

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TECKU, et al.,

Plaintiffs,

-against-

YIELDSTREET, INC., et al.,


Defendants.
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VICTOR MARRERO, U.S.D.J.:

On January 8, 2021, Defendants filed a letter motion requesting permission to file a motion to dismiss in this matter. (See Dkt. No. 23.) After reviewing the submission, including the parties' correspondence, the Court is not persuaded such a motion is necessary. Instead, Plaintiffs are directed to respond to the arguments raised in Defendants' January 8th submission by February 5, 2021, in a letter-brief not to exceed three pages. Defendants may reply to this letter in a similar three-page letter-brief, and attach any relevant documents this Court can properly consider on a motion to dismiss, by February 12, 2021. The court may treat the parties' pre-motion letters as a motion to dismiss. See Kapitalforeningen Lægernes Invest. v. United Techs. Corp., 779 F. App'x 69, 70 (2d Cir. 2019) (affirming the district court ruling deeming an exchange of letters as a motion to dismiss).

SO ORDERED:

Dated: New York, New York
28 January 2021



Victor Marrero
U.S.D.J.

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20 Civ. 7327 (VM)
ORDER